

Customer No.: 31561
Docket No.: 12456-US-PA
Application No.: 10/708,366

REMARKS

Present Status of the Application

The Office Action objected to the disclosure because of the informalities. The Office Action rejected claims 1-6, 8, 12-14 and 17 under 35 U.S.C. 102(b), as being anticipated by Cuffey et al. (U.S. Patent 2,967,010; hereafter Cuffey). The Office Action also rejected claims 7, 9-11, 16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over Cuffey. The Office Action rejected claim 15 under 35 U.S.C. 103(a), as being unpatentable over Cuffey in view of Friedland et al. (U.S. Patent 6,238,762; hereafter Friedland). Applicants have amended the specification to overcome the objection. Applicants also believe that claims 1-20 have already distinguishable over the cited art and reconsideration of those claims is respectfully requested.

Summary of Applicant's Invention

The Applicant's invention is directed to an easily tearable film. The easily tearable film includes a unidirectionally tearable film with several cutting lines thereon. The unidirectionally tearable film has a tearing direction 106 (as shown in Figs. 1-4). That is, without the cutting lines thereon, it is well known that **the unidirectionally tearable film itself possesses a material property so as to be easily torn apart in an only one tearing direction 106**. In the present invention, the cutting lines are arranged on the unidirectionally tearable film along the non-tearable direction of the unidirectionally tearable film. Moreover, the tearing direction crosses each of the cutting lines. Each cutting line has a first end point and a second end point, and has a joining

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point with an imaginary straight line parallel to the tearing direction that passes the first end point of the next cutting line. Because of the arrangement of the cutting lines along the non-tearable direction, the unidirectionally tearable film can be easily torn in a direction different from the nature tearing direction. That is, when the unidirectionally tearable film with the cutting lines thereon is torn in a direction other than the tearable direction, the unidirectionally tearable film is split from the first end point of one cutting line to the second end point of the next cutting line along the imaginary straight line. On the other words, without the formation of the cutting lines on the unidirectionally tearable film, the unidirectionally tearable film cannot be torn in any direction other than the nature tearing direction.

Discussion of Office Action Objections

The Office Action objected to the disclosure because of that the title of the invention contains brackets. Applicants respectfully submit to the Office that the instant application was filed electronically. The brackets around the title were generated by the electronic filing system and not by the Applicants. Nonetheless, Applicants are submitting an amendment to the title by deleting the brackets. Withdrawal of the objection is respectfully requested.

Discussion of Office Action Rejections

The Office Action rejected claims 1-6, 8, 12-14 and 17 under 35 U.S.C. 102(b), as being anticipated by Cuffey et al. (U.S. Patent 2,967,010; hereafter Cuffey). The Office

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Action also rejected claims 7, 9-11, 16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over Cuffey. The Office Action rejected claim 15 under 35 U.S.C. 103(a), as being unpatentable over Cuffey in view of Friedland et al. (U.S. Patent 6,238,762; hereafter Friedland).

Applicants respectfully traverse the rejections and respectfully submit that the independent claims 1 and 12 are allowable for at least the reason that Cuffey fails to teach or disclose each and every features of the amended independent claims 1 and 12.

More specifically, Cuffey fails to teach or suggest that paperboard for the carton is made of a unidirectionally material with an intrinsic property so that the unidirectionally material can be torn apart in an only one tearing direction. Instead, without the assistant of the lines/perforations, it is well known that the efforts for tearing the paperboard apart in every direction are almost the same. That is, the paperboard can be torn apart in various directions.

Furthermore, Cuffey fails to teach or suggest that the nature tearing direction of the paperboard is across the linear perforation. Instead, the tearing direction of the tearable section 23 suggested by Cuffey is along a severance line. As shown in Fig. 14 of Cuffey's application, the severance line around the edge 141 is split only along the direction indicated by the arrows. Apparently, the side opening of the carton cannot be opened by tearing the starting incision in a direction other and that indicated by the arrows in Fig. 14. On the other words, the tearing direction of the tearable section 23 depends on nothing but the arrangement direction of the linear perforations and there is no such an intrinsic tearing direction only according to the material of the paperboard itself. Further,

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although Cuffey mentions that the bone between the perforations must be torn across the grain of the paperboard, Cuffey fails to teach and suggest that the grain of the paperboard is the only and the nature tearable direction for the paperboard.

Therefore, Cuffey substantially fails to teach each and every feature of claims 1 and 12, and therefore, Cuffey cannot possibly anticipate the claimed invention as claimed in the proposed independent claims 1 and 12 in this regard.

Claims 2-11 and 13-20, which depend from claims 1 and 12 respectively, are also patentable over Cuffey, at least because of their dependency from an allowable base claim.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1- 20 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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